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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,172	08/01/2003	Wilhelm Hagg	282464US8X	4591

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EXAMINER	
PATEL, NIMESH G	

ART UNIT	PAPER NUMBER
2111	

NOTIFICATION DATE	DELIVERY MODE
11/28/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/633,172	HAGG ET AL.	
	Examiner	Art Unit	
	NIMESH G. PATEL	2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 August 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 13-17* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 13-17* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 August 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on June 11, 2008 has been entered.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 14 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Throughout the specification and drawings, the intelligent gateway and the dumb gateways are connected by an IP-based connection. There is no support for non-IP based connection between intelligent gateway and the dumb gateways.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-4, 6-11, 13 and 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Peter M Corcoran("Mapping Home-Network Appliances to TCP/IP Sockets Using a Three-Tiered Home Gateway Architecture," cited by Applicant).

6. Regarding claim 1, Corcoran discloses a dumb gateway(Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4) for connecting at least one bus system(Figure 5, HAS Network Medium) with a common network layer(Figure 5, Wide Area Network) that is designed to build a transparent access network by connecting said at least one bus system via the dumb gateway device to said common network layer, said dumb gateway comprising: a bus service interface configures to provide access to all functionality and commands of said at least one bus system via said common network layer to an intelligent gateway(Figure 5, Interface Gateway) connected to said common network layer(Page 732, RHC, Paragraphs 4-5), and a stream manager configured to control isochronous streams between said at least one bus system and said common network layer(Page733, Section 3.3, audio and video streams).

7. Regarding claim 2, Corcoran discloses a dumb gateway, wherein said bus service interface is able to post bus events on said common network layer in case a device within said respective bus system indicates the possibility to communicate via the common network layer(Page 732, RHC, Paragraph 4; Page 734, Section 4.2.1).

8. Regarding claim 3, Corcoran discloses a dumb gateway, wherein said bus service interface is usable by a device presenter to communicate with the corresponding real device connected to another bus system(Page 734, Section 4.2.4, First Paragraph).

9. Regarding claim 4, Corcoran discloses a dumb gateway, wherein said bus service interface is able to represent a virtual device to its respective bus system based on a corresponding device emulator(Page 734, Section 4.2.4, First Paragraph).

10. Regarding claim 6, Corcoran discloses a dumb gateway, wherein said intelligent gateway(Figure 5, Interface Gateway) communicates with said dumb gateway(Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4), which respectively connect a respective bus system(Figure 5, HAS Network Medium), which comprises at least one physical device(Figure 5, HAS Devices), with a common network layer(Figure 5, Wide Area Network), comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer(Page 732, RHC, Paragraphs 4-5).

11. Regarding claim 7, Corcoron discloses an intelligent gateway(Figure 5, Interface Gateway) for communicating between gateway devices(Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4), which respectively connect a respective bus system(Figure 5, HAS Network Medium), which comprises at least one physical device(Figure 5, HAS Devices), with a common network layer(Figure 5, Wide Area Network), comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer(Page 732, RHC, Paragraphs 4-5), and an isochronous stream handler adapted to be controlled by said device presenter or said device emulator(Page 733, Section 3.3, Page 734, Section 4.2.1 audio and video streams).

12. .Regarding claim 8, Corcoron discloses an intelligent gateway, characterized by a device manager that monitors bus events for new devices, which are posted on said common network layer (300), and finds, loads and assigns corresponding device presenters and/or emulators(Page 732, RHC, Paragraph 4; Page 734, Section 4.2.1).

13. Regarding claim 9, Corcoron discloses an intelligent gateway, characterized in that said device manager loads device presenters and/or emulators from external sources(Page 734, Section 4.2.4, First Paragraph).

14. Regarding claim 10, Corcoron discloses an intelligent gateway, characterized in that a device presenter presents a real device on a bus system as a generic abstract device or service(Page 734, Section 4.2.4, First Paragraph).

15. Regarding claim 11, Corcoron discloses an intelligent gateway, characterized in that a device emulator emulates a device on a bus system based on a generic abstract device or service presentation(Page 734, Section 4.2.4, First Paragraph).

16. Regarding claim 13, Corcoran discloses a transparent access network that integrates at least two bus systems, each of which comprises a respective gateway device according to claim 1, comprising at least one intelligent gateway(Figure 5, Interface Gateway) for communicating between gateway devices(Figure 5, Siod; Page 734, Section 4.2.1, Lines 1-4), which respectively connect a respective bus system(Figure 5, HAS Network Medium), which comprises at least one physical device(Figure 5, HAS Devices), with a common network layer(Figure 5, Wide Area Network), comprising a static or dynamic possibility to provide at least one device presenter and/or at least one device emulator of at least one physical device to said common network layer, said common network layer being connected to the respective gateways and said at least one intelligent gateway(Page 732, RHC, Paragraphs 4-5).

17. Regarding claim 15, Corcoran discloses a system comprising: a first device(Figure 5, HAS Device) connected to a first gateway via a first bus system; a second device connected to a second gateway via a second bus system(Page 732, Section 3.3); an intelligent gateway(Figure 5, Interface Gateway) connected to said first and second gateways, comprising a first device emulator adapted to emulate said first device on said second bus system, and a

second device emulator adapted to emulate said second device on said first bus system; and an isochronous stream handler, which is controlled by said first device emulator or said second device emulator(Page 733, Section 3.3, Page 734, Section 4.2.1 audio and video streams).

18. Regarding claim 16, Corcoran discloses a system according to claim 15, wherein said first and second bus systems are not IP based(Page 733, Section 3.3)

19. Regarding claim 17, Corcoran discloses a dumb gateway device, comprising: a connection with a bus system(Figure 5, HAS Network Medium); a bus service interface adapted to connect said bus system with a common network layer that is designed to build a superior network by connecting at least one further bus system via at least one further dumb gateway device to said common network layer, said bus service interface being further adapted to access all functionality and commands of said further bus system via said common network layer(Page 732, RHC, Paragraphs 4-5); and an isochronous stream handler adapted to handle streaming operations, said streaming operations being controlled by the bus service interface via said functionality and commands(Page 733, Section 3.3, Page 734, Section 4.2.1 audio and video streams).

Claim Rejections - 35 USC § 103

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

21. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Corcoran, in view of what is well known in the art, as evidenced by Cheng(US 2002/0083143).

22. Regarding claim 5, Corcoran does not specifically disclose a dumb gateway, wherein said bus service interface communicates via said common network layer according to the Universal Plug and Play protocol set. However, official notice is being taken that Universal Plug and Play protocol set is well known in the art. As evidence, Cheng discloses A UPnP protocol set(Figure 1). It would have been obvious to one of ordinary skill in the art to communicate via said common network layer according to the Universal Plug and Play protocol set since this would allow the advantage of a network conforming to the UPnP standard and connect one or more types of communication media by using internet protocol.

23. Regarding claim 14, Corcoran does not specifically disclose using a non-IP based connections between the intelligent gateway and the dumb gateways. However, official notice is being taken that various non-IP based connections are well known in the art. It would have been obvious to one of ordinary skill in the art to use non-IP based connections between the intelligent gateway and the dumb gateways because it would be obvious to try and would allow Corcoran's system to be used with wider variety of connections.

Response to Arguments

24. Applicant's arguments, filed October 30, 2007, with respect to the rejection(s) of claim(s) 7-11 and 14-17 under U.S.C 112 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

25. In response to Applicant's arguments that the newly added limitation "a stream manager configured to control isochronous streams between said at least one bus system and said common network layer" is not disclosed by Corcoran, Examiner respectfully disagrees. Corcoran does disclose and a stream manager configured to control isochronous streams

between said at least one bus system and said common network layer(Page733, Section 3.3, audio and video streams). Therefore, Applicant's arguments are not persuasive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NIMESH G. PATEL whose telephone number is (571)272-3640. The examiner can normally be reached on M-F, 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinehart H. Mark can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Nimesh G Patel/
Examiner, Art Unit 2111

/Paul R. Myers/
Primary Examiner, Art Unit 2111